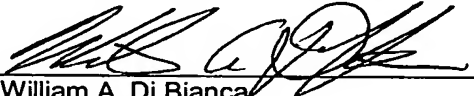
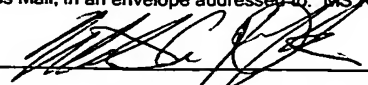




AMENDMENT TRANSMITTAL LETTER			After Final Rejection				
Application No. 10/784,646		Filing Date February 23, 2004		Examiner B. E. Pellegrino		Group Art Unit 3738	
Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok					Docket No. SPINE 3.0-437		
Invention: ARTIFICIAL INTERVERTEBRAL DISC TRIAL HAVING A CONTROLLABLY SEPARABLE DISTAL END							
<b>TO THE COMMISSIONER FOR PATENTS</b>							
Transmitted herewith is an amendment in the above-identified application.							
The fee has been calculated and is transmitted as shown below.							
<b>CLAIMS AS AMENDED</b>							
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate			
Total Claims	21	- 21 =		x			
Independent Claims	2	- 3 =		x			
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>							
Other fee (please specify):							
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>							
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity							
<input type="checkbox"/> No additional fee is required for this amendment.							
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.							
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.							
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.							
<input checked="" type="checkbox"/> Credit any overpayment.							
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.							
 William A. Di Bianca Attorney Reg. No. 58,653				Dated: <u>August 26, 2008</u>			
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 654-5000							
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.							
Dated: August 26, 2008			Signature:  (William A. Di Bianca)				

**AMENDMENT TRANSMITTAL LETTER****After Final Rejection**

Application No. 10/784,646	Filing Date February 23, 2004	Examiner B. E. Pellegrino	Group Art Unit 3738
Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok			Docket No. SPINE 3.0-437

Invention: ARTIFICIAL INTERVERTEBRAL DISC TRIAL HAVING A CONTROLLABLY SEPARABLE DISTAL END

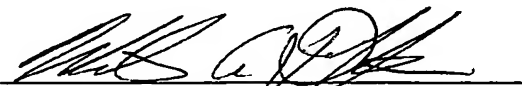
**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	21	- 21 =		x	
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					

- ☒ Large Entity ☐ Small Entity
- ☐ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
William A. Di Bianca  
Attorney Reg. No. 58,653

Dated: August 26, 2008

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
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Signature:  (William A. Di Bianca)